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H – 1069

International Court of Justice

H1069-0002

OFFICIAL TRANSCRIPT OF TESTIMONY FOR THE DEFENSE OF ORGANIZATIONS, TAKEN BEFORE A COMMISSION APPOINTED BY THE INTERNATIONAL MILITARY TRIBUNAL PURSUANT TO PARAGRAPH 4 OF THE ORDER OF THE TRIBUNAL DATED 13 MARCH 1946.

25 July 1946

COMMISSIONER:

Colonel A. M. S. Neave

WAFFEN-SS

(THE COMMISSION CONVENED AT 1605 HOURS.)

GENERAL ERNST RODE, a witness, took the stand and testified as follows:

BY THE COMMISSIONER:

Q What is your full name?

A Ernst Rode.

Q Raise your right hand and repeat the following oath after me:

I swear by God, the Almighty and Omniscient, that I will speak the pure truth and will withhold and add nothing.

(The witness repeated the oath.)

THE COMMISSIONER: You may sit down. Now, Dr. Pelckmann, I would first like to ask concerning this witness's affidavit. Have you a copy of the affidavit?

DR. PELCKMANN: I have only the one copy for myself.

THE COMMISSIONER: I believe there should be a prosecution copy.

MR. MORRECCO: I have a copy, sir.

THE COMMISSIONER: Was this affidavit submitted by the Prosecution in the case against the General Staff or the SS? That is what I want to know.

DR. PELCKMANN: Against the OKW (General Staff.)

MR. MORRECCO: That is a surprise to me, Sir. I thought it was submitted against the SS.

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DR. PELCKMANN: What is in the affidavit, of course, is also supposed to be part of the Indictment against the SS, as far as the prosecution is concerned.

THE COMMISSIONER: Does it say much about the SS or is it generally concerning the General Staff?

MR. MORRECCO: It deals with anti-partisan warfare and recruiting troops for that kind of warfare.

THE COMMISSIONER: Dr. Pelckmann, will you wait one minute while I read through this affidavit?

(Dr. Pelckmann hands the Commissioner an additional document.)

THE COMMISSIONER: Was this also submitted in the case against the General Staff, this affidavit No. 18?

DR. PELCKMANN: I believe so.

THE COMMISSIONER: Well, Dr. Pelckmann, you may cross-examine the witness on both of these affidavits in so far as they describe matters with which the Waffen-SS or the SS as a whole are charged, but you are quite clear that cross-examination must be limited to the subject matter of these two affidavits, No. 17 and No. 18, in so far as they concern the SS. Proceed.

CROSS-EXAMINATION

BY DR. PELCKMANN:

Q Witness, did you make the two affidavits, No. 562 and No. 563, of the 30th of November 1945?

A Yes, I gave them to Captain Rapp.

Q Did you receive information concerning one of the points in one of the affidavits on anti-partisan warfare through your position and your activity?

A I concerned myself in this case. The point asked me by Captain Rapp concerned the so-called Einsatz Groups or Combat Groups of the Sipo (Security Police) in the East.

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Q Were you not also asked concerning anti-partisan warfare?

A There were no clean-cut special points concerning the partisan warfare. What I gave was my impression according to the material which was placed before me by Captain Rapp concerning the activities of the Einsatz or Combat Groups and I make this statement retroactive.

Q Is it correct that the anti-partisan warfare in 1941 and 1942 concerned itself essentially to the fighting of various Russian units that were caught behind the German lines?

A Yes.

Q Is it correct that this fighting got more severe as the time went by since the Russians had perfected a new method of fighting in the meantime?

A Yes. According to reports we received, the Russians were superior to us in this partisan warfare.

Q Did the Police Units carry the larger part of the burden of these combats in the operations area of the Army?

A It is very hard to say this exactly. The operations area in which these Police Units were active went from the front lines back to the eastern border of the civil administrative occupied territories. They were under the command of the Commanders-in-Chief of the Army Groups. In other words they were taken out of the authority of the Reichsfuehrer-SS.

Q Was the SS not in action, with the exception of a short use of a cavalry brigade, in the fall of 1941?

A The SS was not used in the anti-partisan warfare and the brigades that had been proposed for usage there had to be sent to the front. That is with one exception, a cavalry brigade, either in the Fall of 1941 or the Spring of 1942.

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Q Is there any clear distinction between the activity of the Einsatz Groups of the SD and Security Police and of the Anti-Partisan actions?

A Yes, there is a very clear distinction between Anti-Partisan actions and the actions of the Einsatz Groups of the SD and the Security Police which cannot be regarded as anti-partisan warfare.

Q When you received the orders concerning the Anti-Partisan Warfare did you at any time feel or receive the impression when you read them, that this action had as its purpose the extermination of parts of the population?

A Not the partisan warfare.

Q I asked you about the knowledge you had at that time.

A By that I meant the activities of the Einsatz Groups or the Security Police.

Q I am not asking you now in connection with the affidavit. Remember that. I am not relying on the affidavit at this time. I ask you, did you at that time when you received the orders concerning the Anti-Partisan actions, have the impression that the real purpose behind them was the extermination of parts of the population. Answer yes or no.

A No.

Q Did you, before the Russian Campaign or afterwards, hear Himmler or any other person say that the purpose of the partisan actions was to reduce the Slavish population by 30 million?

A No.

Q Did you notice during the interrogation by American officers, which resulted in the affidavits of the 30th of November 1945, that these interrogating officers did not have a clear knowledge of the difference between the action of the anti-partisan units and the action and activities of the Einsatz Groups?

H1069 - 0006

A I was of the impression that in the beginning these officers were not quite clear. When I was first interrogated by Captain Rapp I showed him a sketch concerning the anti-partisan units and showed him the difference between what we considered anti-partisan warfare and what he had considered as such. Thereupon I thought that he was quite clear about these points.

H1069 - 0007

Q At that time were you still active and did you have any exact knowledge of the actions of the Einsatsgruppen?

A No, I did not have any exact knowledge concerning their actions. I only knew that they were under the authority of the army groups.

Q Did you officially have anything to do with the Einsatsgruppen?

A No.

Q During your interrogation, did the interrogating officer explain to you the activities of the Einsatsgruppen?

A The presiding officer, Captain Rapp, explained to me according to documents he had in front of him what the Einsatsgruppen had done.

Q You do not hear very well?

A I hear very badly.

Q Did you find out for the first time that large numbers of the population and Jews were killed by these groups and were the numbers given you by the interrogator?

A Yes, I heard of this for the first time on November 30th.

Q How did you come to the conclusion in one of the affidavits, which states that you believed that the purpose behind these einsatsgruppens was to exterminate parts of the population and Jews?

A Captain Rapp showed the documents concerning the einsatsgruppes and/was one by Brigade Fuehrer SS Stahlecker. Enclosed with these documents was also a map of the entire area of the army group, north all the way up to Plaskov. In the same connection, there was a photo copy, which came from the RSHA and on this map in a rather tasteless way was drawn a number of coffins with the numbers behind them and these numbers were supposed to be the number of liquidated Jews in those towns. When we added these numbers up they totalled up to 187,000. The second document before me was the

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statement by the former General of the Police, Von den Bach, stating that he was a witness to an alleged speech by the Reichsfuehrer SS Himmler at Wefelsberg and Himmler was supposed to have said - and this I found out during this time - that there were twenty five million too many Slavs.

COLONEL NEAVE: I don't follow the line of your cross examination, Dr. Pelckmann, There or true should ~~be only~~ answers to your questions.

DR. PELCKMANN: I want to find out the basis for the impressions which the witness had on November 30th. He stated today that it was clear that the goal was to destroy Jewish people and Slavs. I want to show that he was shown documents concerning the Einsatsgruppen and that in his affidavit he wrongfully talked about the anti-partisan warfare.

THE WITNESS: I want to say that during the interrogation, Captain Rapp continuously talked of the actions of the Einsatsgruppen as the anti-partisan actions and as time what by I possibly used the same term, however, I should have said that this particular action of the anti-partisan warfare I considered to be the purpose of destroying Jews and Slavs.

BY DR. PECLKMANN:

Q Do you know, for instance, if the report of Stahlecker concerned itself with the activities of the Einsatsgruppen or with partisan war-fare.

A Stahlecker was the commandant of the Einsatsgruppen north and he must have lead the Einsatsgruppen north. He was not in any way suited for anti-partisan war-fare.

Q I want to ask you now, today, after hearing of these mistakes, would you still say what you said in your affidavit, that you believe the purpose of this anti-partisan warfare was the systematic extermination of Slavs and Jews?

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25 July
Rode.

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A I would make the difference between the actions of the security police detachments, with which I never concerned myself and the actions of the anti-partisan units, which fought a war with actions just like any other war, which is armed men against armed men. I want to state that the words anti-partisan war fare in the document of November 30, 1945 was used wrong both by Captain Rapp and myself.

COLONEL NEAVE: Dr. Pelckmann, is that your last question.

DR. PELCKMANN: Yes.

COLONEL NEAVE: Is there any cross-examination?

MR. MORRECCO: No.

DR. PELCKMANN: If the prosecution has no question, I will not question the witness anymore, but if the prosecution does question the witness, then I would like to ask a few more questions.

COLONEL NEAVE: Apparently the prosecution has no questions, so the witness is excused.

We will adjourn.

(THE COMMISSION ADJOURNED AT 1700 HOURS.)

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THE FOREGOING IS A TRUE AND CORRECT TRANSCRIPT OF THE TESTIMONY OF MAJOR GENERAL ERNST RODE, taken on 25 June, 1946.

Mabel A. Lesser
Reporter (pp

Alice Meehan
Reporter (pp

CERTIFIED TO:

Ann Neave
Commissioner

Lt col.

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Mr Calorcorissi

COM B
Take 6 -Pg. 1
Lesser
25 July 1946
RODE

H1069 - 0010

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DR. PELCKMANN: I have only the one copy for myself.

THE COMMISSIONER: I believe there should be a prosecution copy.

MR. MORRECCO: I have a copy, sir.

THE COMMISSIONER: Was this affidavit submitted by the Prosecution

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in the case against the General Staff or the SS? That is what I want to know.

DR. PELCKMANN: Against the OKW (General Staff.)

MR. MORRECCO: That is a surprise to me, Sir. I thought it was submitted against the SS.

DR. PELCKMANN: What is in the affidavit, of course, is also supposed to be part of the Indictment against the SS, as far as the prosecution is concerned.

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(Dr. Pelckmann hands the Commissioner an additional document.)

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DR. PELCKMANN: I believe so.

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CROSS-EXAMINATION

BY DR. PELCKMANN:

Q Witness, did you make the two affidavits, No. 562 and No. 563, of the 30th November 1945?

H1069 – 0012

A Yes, I gave them to Captain Rapp.

Q Did you receive information concerning one of the points in one of the affidavits on anti-partisan warfare through your position and your activity?

A I concerned myself in this case. The point asked me by Captain Rapp concerned the so-called Einsatz Groups or Combat Groups of the Sipo (Security Police) in the East.

Q Were you not also asked concerning anti-partisan warfare?

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A Yes.

Q Is it correct that this fighting got more severe as the time went by since the Russians had perfected a new method of fighting in the meantime?

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A Did the Police Units carry the larger part of the burden of these combats in the operations area of the Army?

H1069 - 0013

A It is very hard to say this exactly. The operations area in which these Police Units were active went from the front lines back to the eastern border of the civil administrative occupied territories. They were under the command of the Commanders-in-Chief of the Army Groups. In other words they were taken out of the authority of the Reichsfuehrer-SS.

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A Not the partisan warfare.

Q I asked you about the knowledge you had at that time.

A By that I meant the activities of the Einsatz Groups or the Security Police.

H1069 - 0014

Q I am not asking you now in connection with the affidavit. Remember that. I am not relying on the affidavit at this time. I ask you, did you at that time when you received the orders concerning the Anti-Partisan actions, have the impression that the real purpose behind them was the extermination of parts of the population. Answer yes or no.

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Mr Calvocoressi

H1069 – 0015

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of coffins with the numbers behind them and these numbers were supposed to be the number of liquidated Jews in those towns. When we added these numbers up they totalled up to 187,000. The second document before me was the statement by the former General of the Police, Von den Bach, stating that he was a witness to an alleged speech by the Reichsfuehrer SS Himmler at Wefelsberg and Himmler was supposed to have said--and this I found out during this time--that there were twenty five million too many Slavs.

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H1069 - 0017

Q I want to ask you now, today, after hearing of these mistakes, would you still say what you said in your affidavit, that you believe the purpose of this anti-partisan warfare was the systematic extermination of Slavs and Jews?

A I would make the difference between the actions of the security police detachments, with which I never concerned myself and the actions of the anti-partisan units, which fought a war with actions just like any other war, which is armed men against armed men. I want to state that the words anti-partisan warfare in the document of November 30, 1945 was used wrong both by Captain Rapp and myself.

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MR. MORRECCO: No.

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Mr Denney

H1069 - 0018

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H1069-0019

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CROSS-EXAMINATION

BY DR. PELCKMANN:

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H1069 - 0020

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Q Is it correct that this fighting got more severe as the time went by since the Russians had perfected a new method of fighting in the meantime?

A Yes. According to reports we received, the Russians were superior to us in this partisan warfare.

A Did the Police Units carry the larger part of the burden of these combats in the operations area of the Army?

H1069 - 0021

A It is very hard to say this exactly. The operations area in which these Police Units were active went from the front lines back to the eastern border of the civil administrative occupied territories. They were under the command of the Commanders-in-Chief of the Army Groups. In other words they were taken out of the authority of the Reichsfuehrer-SS.

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H1069 - 0022

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Mr. Denney

H1069 - 0023

Q At that time were you still active and did you have any exact knowledge of the actions of the Einsatzgruppen?

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H1069 - 0024

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H1069 - 0025

Q I want to ask you now, today, after hearing of these mistakes, would you still say what you said in your affidavit, that you believe the purpose of this anti-partisan warfare was the systematic extermination of Slavs and Jews?

A I would make the difference between the actions of the security police detachments, with which I never concerned myself and the actions of the anti-partisan units, which fought a war with actions just like any other war, which is armed men against armed men. I want to state that the words anti-partisan warfare in the document of November 30, 1945 was used wrong both by Captain Rapp and myself.

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COLONEL NEAVE: Is there any cross-examination?

MR. MORRECCO: No.

DR. PELCKMANN: If the prosecution has no question, I will not question the witness anymore, but if the prosecution does question the witness, then I would like to ask a few more question.

COLONEL NEAVE: Apparently the prosecution has no questions, so the witness is excused.

We will adjourn.

(THE COMMISSION ADJOURNED AT 1700 HOURS.)

H1069-0026

OFFICIAL TRANSCRIPT OF TESTIMONY FO THE DEFENSE OF ORGANIZATIONS, TAKEN BEFORE A COMMISSION APPOINTED BY THE INTERNATIONAL MILITARY TRIBUNAL PURSUANT TO PARAGRAPH 4 OF THE ORDER OF THE TRIBUNAL DATED 13 MARCH 1946.

COMMISSIONER:

Colonel A.M.S. Neave.

WAFFEN-SS

(THE COMMISSION CONVENED AT 1605 HOURS.)

GENERAL ERNST RODE, a witness, took the stand and testified as follows:

BY THE COMMISSIONER:

Q What is you full name?

A Ernst Rode.

Q Raise your right hand and repeat the following oath after me:

I swear by God, the Almighty and Omniscient, that I will speak the pure trut and will withold and add nothing.

(The witness repeated the oath.)

THE COMMISSIONER: You may sis down. Now, Dr. Pelkman, I would first like to ask concerning this witness's affidavit. Have you a copy of the affidavit?

DR. PELCKMANN: I have only the one copy for myself.

THE COMMISSIONER: I believe there should be a prosecution copy.

MR MORRECCO: I hav a copy sir.

THE COMMISSIONER: Was this affidavit submitted by the Prosecution in the case against the General Staff or the SS? That is what I want to know.

DR, PELCKMANN: Against the OKW (General Staff.)

MR. MORRECCO: That is a surprise to me, Sir, I thought it was submitted against the SS.

DR, PELCKMANN: What is in the affidavit, of course, is also supposed to be part of the indictment against the SS, as far as the prosecution is concerned.

THE COMMISSIONER: Does it say much about the SS or is it generally concerni the General Staff?

MR. MORRECCO: It deals with anti-partisan warefare and recruiting troops f that kind of warfare.

COMMISSIONER: Dr. Pelckmann. will you wait one minute while I read throu davit?

elckmann hands the Commissioner an additional document.)

THE COMMISSIONER: Was this also submitted in the cases against the General Staff, this affidavit No. 18?

DR. PELCKMANN: I believe so.

THE COMMISSIONER: Well, Dr. Pelckmann, you may cross-examine the witness on both of these affidavits in so far as they describe matters with which the Waffen-SS or the SS as a whole are charged, but you are quite clear that cross-examination must be limited to the subject matter of these two affidavits, No 17 and No. 18. in so far as they concern the SS. Proceed.

CROSS-EXAMINATION

BY DR. PELCKMANN:

Q Witness, did you make the two affidavits, No. 562 and No. 563, of the 30t of November 1945?

A Yes, I gave them to Captain Rapp.

Q Did you receive information concerning one of the points in one of the affidavits on anti-partisan warfare through your position and your activity?

A I concerned myself in this cases. The point asked me by Captain Rapp concerned the so-called Einsatz or Combat Groups of the SIPO (Security Police) in the East.

Q Were you not also asked concerning anti-partisan warfare?

A There were no clean-cut special points concerning the partisan warfare. What I gave was my impression according to the material which was placed before me by Captain Rapp concerning the activities of the Einsatz or Combat Groups and I make this statement retroactive.

Q Is it correct that the anti-partisan warfare in 1941 and 1942 concerned itself essentially to the fighting of various Russian units that were caught behind the German lines?

A Yes.

Q Is it correct that this fighting got more severe as the time went by since the Russians had perfected a new method of fighting in the meantime?

A Yes, According to reports we received, the Russians were superior to us in this partisan warfare.

Q Did the Police Units carry the larger part of the burden of these combats in the operations area of the Army?

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A It is very hard to say this exactly. The operations area in which these Police Units were active from the front lines back to the eastern border of the civil administrative occupied territories. They were under the command of the Commanders-in-Chief of the Army Groups. In other words they were taken out of the authority of the Reichsfuehrer-SS.

Q Was the SS not in action, with the exception of a short use of a cavalry brigade, in the fall of 1941?

A The SS was not used in the anti-partisan warfare and the brigades that had been proposed for usage there had to be sent to the front. That is with one exception, a cavalry brigade, either in the Fall of 1941 or the Spring of 1942.

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Q Is there any clear distinction between the activity of the Einsatz Groups of the SD and Security Police and of the Anti-Partisan actions?

A Yes, there is a very clear distinction between Anti-Partisan actions and the actions of the Einsatz Groups of the SD and the Security Police which cannot be regarded as anti-partisan warfare.

Q When you received the orders concerning the Anti-Partisan warfare did you at any time feel or receive the impression when you read them, that this action had as its purpose the extermination of parts of the population?

A Not the partisan warfare.

Q I asked you about the knowledge you had at that time.

A By that I meant the activities of the Einsatz Groups or the Securit Police.

Q I am not asking you now in connection with the affidavit. Remember that. I am not relying on the affidavit at this time. I ask you, did you at that time when you received theorders concerning the Anti-Partisan actions have the impression thatthe real purpose behind them was the extermination of parts of the population. Answer yes or no.

A No.

Q Did you, before the Russian Campaign or afterwards, hear Himmler or any other person say that the purpose of thepartisan actions was to reduce the Slavish population by 30 million?

A No.

Q Did you notice during the interrogation by American officers, which resulted inthe affidavits of the 30th of November 1945, that these interrogating officers did not have a clear knowledge of the difference between the action of the anti-partisan units and the action and activities of the Einsatz Groups?

A I was of the impression that in the beginning these officers were not quite clear. When I was first interrogated by Captain Rapp I showed him a sketch concerning the anti-partisan units and showed him the difference between what we considered anti-partisan warfare and what he had considered as such. Thereupon I thought that he was quite clear about these points.

Q At that time were you still active and did you have any exact knowledge of the actions of the Einsatzgruppen?

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A No, I did not have any exact knowledge concerning their actions. I only knew that they were under the authority of the army groups.

Q Did you officially have anything to do with the Einsatzgruppen?

A No.

Q During your interrogation, did the interrogating officer explain to you the activities of the Einsatzgruppen?

A The presiding officer, Captain Rapp, explained to me according to documents he had in front of him what the Einsatzgruppen had done.

Q You do not hear very well?

A I hear very badly.

Q Did you find out for the first time that large numbers of the population and Jews were killed by these groups and were the numbers given you by the interrogator?

A Yes, I heard of this for the first time on November 30th.

Q How did you come to the conclusion in one of the affidavits, which states that you believed that the purpose behind these einsatzgruppen was to exterminate parts of the population and Jews?

A Captain Rapp showed the documents concerning the einsatzgruppes amd one was by Brigade Fuehrer SS Stahlecker. Enclosed with these documents was also a map of the entire area of the army group, north all the way up to Plaskov. In the same connection, there was a photo copy, which came from the RSHA and on this map in a rather tasteless way was drawn a number of coffins with the numbers behind them and these numbers were supposed to be the number of liquidated Jews in those towns. When we added these numbers up they totalled up to 187,000. The second document before me was the statement by the former General of the Police, Von den Bach, stating that he was a witness to an alleged speech by the Reichsfuehrer SS Himmler at Wefelsberg and Himmler was supposed to have said - and this I found out during this time - that there were twenty five million too many Slavs.

COLONEL NEAVE: I don't follow the line of your cross examination, Dr. Pelckmann, or the answers to your questions.

DR. PELCKMANN: I want to find out the basis for the impressions which the witness had on November 30th. He stated today that it was clear that the goal was to destroy the Jewish people and Slavs. I want to show tha

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he was shown documents concerning the Einsetzgruppen and that in his affidavit he wrongfully talked about the anti-partisan warfare.

THE WITNESS: I want to say that during the interrogation, Captain Rapp continuously talked of the actions of the Einsatzgruppen as the anti-partisan actions and as time went by I possibly used the same term, however, I should have said that this particular action of the anti-partisan warfare I considered to be the purpose of destroying Jews and Slavs.

BY DR. PELCKMANN:

Q Do you know, for instance, if the report of Stahlecker concerned itself with the activities of the Einsatzgruppen or with partisan warfare?

A Stahlecker was the commandant of the Einsatzgruppen north and he must have lead the Einsatzgruppen north. He was not in any way suited for anti-partisan warfare.

Q I want to ask you now, today, after hearing of these mistakes, would you still say what you said in your affidavit, that you believe the purpose of this anti-partisan warfare was the systematic extermination of Slavs and Jews?

A I would make the difference between the actions of the security police detachments, with which I never concerned myself and the actions of the anti-partisan units, which fought a war with actions just like any other war, which is armed men against armed men. I want to state that the words anti-partisan war fare in the document of November 30, 1943, was used wrong both by Captain Rapp and myself.

COLONEL NEAVE: Dr. Pelckmann, is that your last question?

DR. PELCKMANN: Yes.

COLONEL NEAVE: Is there any cross-examination?

MR. MORRECCO: No.

DR. PELCKMANN: If the prosecution has no question, I will not question the witness anymore, but if the prosecution does question the witness, then I would like to ask a few more questions.

COLONEL NEAVE: Apparently the prosecution has no question, so the witness is excused.

We will adjourn.

(The Commission adjourned at 1700 hours)

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The foregoing is a true and correct transcript of the testimony of MAJOR GENERAL ERNST RODE, taken on 25 June 1946.

Mabel A. Lesser
Reporter

Alice Meehan
Reporter

CERTIFIED TO:

A. M. S. Neave, Lt. Col.
Commissioner